

REMARKS

Upon entry of the present amendment, claims 5-12 will remain pending in the above-identified application and stand ready for further action on the merits.

In the instant amendment magnetic recording medium claims 1-4 have been cancelled, and claims 5-12 have been newly added, and which are directed to a “method for producing a magnetic recording medium”.

The newly added method claims 5-12 find support throughout the originally filed specification and claims, including prior claims 1-4, which have been cancelled herein. For example, in the specification support for claims 5-12 exists at page 1, lines 4-8; page 4, line 15 to page 6, line 27; page 18, lines 1-8; page 19, lines 15-20; page 20, lines 15-19; page 22, line 7 to page 23, line 27; *et cetera*.

Accordingly, entry of the instant amendment is respectfully requested at present, as is an early and favorable allowance of the same.

Claim Rejections - 35 USC §§ 102(b)/103(a)

Claim 1 has been rejected under the provisions of 35 USC § 102(b) as anticipated by or in the alternative under 35 USC § 103(a) as obvious over Aonuma US 4, 253,886 (US ‘886); Claims 1-4 have been rejected under the provisions of 35 USC § 102(b) as anticipated by or in the alternative under 35 USC § 103(a) as obvious over Matsubaguchi et al. DE 19752953 (DE ‘953); and Claims 1-4 have also been rejected under the provisions of 35 USC § 103(a) as being unpatentable over Matsubaguchi et al. DE ‘953, in view of any one of Masafumi et al. JP 05-

081649 (JP '649) , Yamada et al. US 4,076,890 (US '890) or Miyahara et al. US 4,369,076 (US '076) for reasons of record.

Reconsideration and withdrawal of the above rejections is respectfully requested based on the cancellation of claims 1-4 herein, the presentation of new method claims 5-12 herein, which are directed to a "method for producing a magnetic recording medium", as well as the following remarks and consideration.

Distinctions Over the Cited Art

Aonuma (US '886) does not disclose or teach a method for producing a magnetic recording medium as is recited in pending method claims 5-12. Aonuma US '886 also does not teach the addition of an anticorrosive compound after kneading the magnetic powders in a magnetic paint, which is entirely different from the invention recited in instant method claim 5 (the sole independent claim now under consideration).

Regarding Matsubaguchi et al. (DE '953), the same simply discloses a magnetic recording tape. It does not, however, disclose or teach a method for producing a magnetic recording medium as is recited in pending method claims 5-12. It also does not provide for the addition of an anticorrosive agent after kneading magnetic powders in a magnetic paint (as is recited in instant method claim 5).

Similarly, none of the remaining cited references of Masafumi et al. (JP '649), Yamada et al. (US '890) and Miyahara et al. (US '076) , disclose, teach or otherwise provide for a method for producing a magnetic recording medium as is recited in pending method claims 5-12. These

references also do not provide for the addition of an anticorrosive agent after kneading magnetic powders in a magnetic paint (as is recited in instant method claim 5).

Furthermore, it is submitted that even if one of ordinary skill in the art were to consider the references of Aonuma (US '886), Matsubaguchi et al. (DE '953), Masafumi et al. (JP '649), Yamada et al. (US '890) and Miyahara et al. (US '076), either singularly or in combination, they in no way would be motivated to arrive at the instant invention as claimed. The failure of the references to provide such motivation to arrive at the present invention is a clear indicia of the non-obviousness of the claimed invention.

CONCLUSION

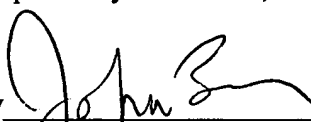
Based on the amendments and remarks presented herein the Examiner is respectfully requested to issue a notice of allowance clearly indicating that each of pending claims 5-12 is allowed and patentable under the provisions of title 35 of the United States Code.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 16, 2005

Respectfully submitted,

By 

John W. Bailey

Registration No.: 32,881

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

JWB/jwb